IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: Kelly A. Fegley,

: Chapter 13

Debtor,

: Case No. 1:16-bk-02974-RNO

Nationstar Mortgage, LLC,

Movant,

:

v.

: 11 U.S.C. Section 362 and 1301

Kelly A. Fegley, Respondent,

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Jeremy J. Fegley,

d

Charles J. DeHart, III, Trustee,

Additional Respondents.

ANSWER TO MOTION OF NATIONSTAR MORTGAGE, LLC FOR RELIEF FROM THE AUTOMATIC STAY UNDER SECTION 362

AND NOW, comes Debtor, Kelly A. Fegley, by and through her attorneys, Cunningham, Chernicoff & Warshawsky, P.C., and respectfully files this Answer to Motion of Nationstar Mortgage, LLC for Relief from the Automatic Stay under Section 362 and avers as follows:

- 1. Admitted.
- 2. Admitted.
- 3. Admitted.
- 4. Admitted.
- 5. Admitted.
- 6. Denied. By way of further answer, Debtor made two (2) payments of \$1,332.46 on or around July 24, 2017. Additionally, Debtor has attempted to make payments in the past, which have been returned. Furthermore, Movant has, on occasion, refused to speak to Debtor

regarding the account citing that they do not have authorization to do so despite already having received authorization from the co-mortgagor, Jeremy J. Fegley.

7. Denied. By way of further answer, see answer to paragraph 6.

8. Debtor is without sufficient information to form a belief as to this averment and

therefore it is denied.

9. Paragraph 9 is a conclusion of law to which no responsive pleading is required.

To the extent that a responsive pleading is required, it is denied.

WHEREFORE, it is respectfully requested this Honorable Court enter an Order denying the Motion of Nationstar Mortgage, LLC for Relief from the Automatic Stay under Section 362, dismiss the Motion with prejudice, award the Debtor her costs and attorneys' fees in this action, and award the Debtor such other and further relief as is just and proper.

Respectfully submitted:

CUNNINGHAM, CHERNICOFF & WARSHAWSKY, P.C.

By: /s/ Johanna H. Rehkamp Johanna H. Rehkamp, Esquire Attorney I.D. No. 206589 2320 North Second Street P.O. Box 60457 Harrisburg, PA 17106-0457 (717) 238-6570

Date: July 28, 2017